

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**YELLOWSTONE TRANSPORTATION)
GROUP, INC)
)
)
Debtor.)
_____)**

**Case No. 21-30050
Chapter 11**

NOTICE OF HEARING

PLEASE TAKE NOTICE that Essex Richards, PA, counsel of record for debtor Yellowstone Transportation Group, Inc., has filed a Motion to Withdraw as Counsel for Debtor (the "Motion").

PLEASE TAKE FURTHER NOTICE that your rights may be affected by the Motion. You should read the Motion carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult with one.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held before The Honorable Laura T. Beyer at the United States Bankruptcy Court, Charles Jonas Federal Building, Courtroom 1-5, 401 West Trade Street, Charlotte, North Carolina on WEDNESDAY, APRIL 14, 2021 at 9:30 A.M. (ET).

PLEASE TAKE FURTHER NOTICE that the Court may grant the relief requested in the Motion at said hearing. No further notice will be given.

This the 29th day of March 2021.

ESSEX RICHARDS, P.A.

/s/ John C. Woodman

John C. Woodman (NC Bar No. 42365)

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Counsel for the Debtor

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
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**YELLOWSTONE TRANSPORTATION)
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**Case No. 21-30050
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MOTION TO WITHDRAW AS COUNSEL FOR THE DEBTOR

NOW COMES Essex Richards, P.A. (the “Firm”), counsel of record for **YELLOWSTONE TRANSPORTATION GROUP, INC.**, the debtor in the above-captioned bankruptcy proceeding (the “Debtor”), and hereby moves to withdraw as counsel for the Debtor pursuant to Local Rule 2019-1 and Rule 1.16 of the Rules of Professional Conduct of the North Carolina State Bar. In support of its Motion, the Firm respectfully shows the Court as follows:

1. The Debtor filed a voluntary petition for relief under chapter 11 of the United States Bankruptcy Code in this Court on January 28, 2021 (the “Petition Date”).
2. The Firm has continuously represented the Debtor in this proceeding since the Petition Date.
3. Issues have arisen such that the Firm is no longer able to continue its representation of the Debtor in that good cause exists for withdrawal pursuant to Rule 1.16(b)(9) of the North Carolina State Bar Rules of Professional Conduct as well as the:
 - a. Debtor has rendered the representation unreasonably difficult. Rule 1.16(b)(7) of the North Carolina State Bar Rules of Professional Conduct.
 - b. Debtor insists on taking action that the Firm considers imprudent and contrary to the advice and judgment of the Firm and with the Firm has a fundamental disagreement. Rule 1.16(b)(4) of the North Carolina State Bar Rules of Professional Conduct.

4. As grounds for this motion, the foregoing circumstances present a concurrent conflict of interest in which the Firm's continued representation of the Debtor is materially limited.

5. The Firm has notified the Debtor of its intent to withdraw.

6. Attached hereto as Exhibit A is a *Proposed Order* granting the relief requested herein.

WHEREFORE, the Firm prays that the Court enter an Order permitting its withdrawal as counsel of record for the Debtor in this bankruptcy proceeding and grant such other relief as is just and proper.

This the 29th day of March 2021.

ESSEX RICHARDS, P.A.

/s/ John C. Woodman

John C. Woodman (NC Bar No. 42365)

David DiMatteo

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Counsel for the Debtor

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**YELLOWSTONE TRANSPORTATION)
GROUP, INC)**

**Case No. 21-30050
Chapter 11**

Debtor.

**PROPOSED ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL FOR THE
DEBTORS**

The Court heard the Motion to Withdraw as Counsel for Debtor (the “Motion”) [Doc. _____] filed by Essex Richards, PA (the “Firm”) on April 14, 2021. Based upon a review of the record and the statements of counsel at said hearing, the Court finds and concludes that good cause exists to grant the requested relief.

THEREFORE, IT IS ORDERED, ADJUDGED and DECREED that:

1. The Motion is granted and the Firm is permitted to withdraw as counsel for debtor and debtor in possession Yellowstone Transportation Group, Inc.; and
2. The Firm and its employees shall have no further duties or obligations as counsel for the debtor in the above-captioned bankruptcy proceeding.

<i>This Order has been signed electronically. The Judge's signature and Court's seal appear at the top of this Order.</i>	<i>United States Bankruptcy Court</i>
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